

STATE OF SOUTH CAROLINA  
COURT OF APPEALS

IN RE: DAN-SORU CHISOLA

AFFIDAVIT IN SUPPORT OF  
WRIT OF MANDAMUS

**RECEIVED**  
JAN 28 2025  
SC Court of Appeals

The petitioner, Dan-Soru Chisola duly sworn deposed states the following:

1. I am the appellant/petitioner in this matter and state the following particulars on knowledge, information, and/or belief.
2. I am 18 years of age, ~~enabled~~, competent to testify and have first hand knowledge of the facts contained herein.
3. I have had ongoing issues with the Clerk's Office of Davidson County in that my filings have consistently been delayed by 30-45 days and return documents have been sent to the incorrect address despite my updating the Clerk's Office of address changes. The issues have persisted for years in general business and court plus filings.
4. South Carolina Dept of Corrections legal mail records show the dates in which I received the Court Order dated Oct. 11, 2021 from Judge Murphy. And the financial records of # 347831 show the date of mailing and debit of the timely served Motion to Amend Judgment.
5. The court has failed to respond in over (3) years. All particulars of the Petition for Writ of Mandamus are true and correct.

Sworn to and subscribed before me this 21<sup>st</sup>  
day of January, 2025

Lakisha R Gray  
Notary of Public

01/13/20  
Commission Expires



Dan-Soru Chisola

STATE OF SOUTH CAROLINA  
COUNTY OF DORCHESTER

FILED-RECORDED

11-08-2021

Cheryl Graham  
Clerk of Court  
Dorchester County

IN THE COURT OF GENERAL SESSIONS  
FIRST JUDICIAL CIRCUIT

STATE

VS

DON SURVI CHISOLM

Defendant

WARRANT NO: K308513

Indictment No: 2008-65-18-0009  
[2008-65-18-0009]

MOTION TO ALTER JUDGEMENT

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CERTIFIED COPY

Now comes the defendant pursuant Rule 59(c) moving this Court for alteration or amendment to its Judgment as given Oct 11, 2021 in regards to the defendants Apr 23, 2021 motions: Motion to Dismiss Indictment, Motion to Enforce Relief from Judgment, Motion to Compel Entry of Judgment. In furtherance of the defendants Motion to Amend, the defendant will show that submitted to the record were factual errors which the defendant believes led to the dismissal of the Apr 23rd, 2021 motions. The defendant will use the motion as written, the exhibits provided, and oral arguments to seek the relief sought.

### FACTS

1. On Aug 22, 2011 the defendant was tried in the presence of Edgar Dickson on indictment 2008-65-18-0009, as called by the State. And not on an indictment numbered 2008-65-18-0009 as stated in this Courts Order dated Oct 11, 2021. [Defense Exhibit D, G, H, I]
2. The Aug 22, 2011 trial took place after the defendant unsuccessfully moved, in Apr of 2011, to have indictment 2008-65-18-0009 dismissed. Following the defendants 1st unsuccessful Motion to Dismiss, there was an immediate filing, May 2nd, 2011, for a Fast and Speedy Trial upon indictment 2008-65-18-0009 which was granted by Edgar Dickson. [Defense Exhibit D, Electronic Record]
3. On Aug 23, 2011 the defendant motioned for a mistrial and received a decree of mistrial, a decree of the possibility of a new trial, and a dismissal/adjournment of his trials wrongs. The defendant did not however receive a written final order as to the judgment of Edgar Dickson. [Sept 13 Trial Transcript's Pg 78 Ln 25, Pg 78 Ln 1-14, Pg 84 Ln 21-25 electronically submitted.]